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PTO/SB/05 (03-01)

Approved for use through 10/31/2002. OMB 0651-0032

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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# UTILITY PATENT APPLICATION TRANSMITTAL

(Only for new nonprovisional applications under 37 C.F.R. 1.53(b))

Attorney Docket No. 05213-0652 (43170-266942)

Inventors Robert J. D'Amato

Title Amino Derivatives of EM-138 and Methods of Treating Angiogenesis W  
Same

Express Mail Label No. EL 910716815 US

## APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

## ADDRESS

TO:

U.S. Patent and Trademark Office  
Box Patent Applications  
P.O. Box 2327  
Arlington, VA 22202

1. ☒ Fee Transmittal Form (e.g., PTO/SB/17)  
(Submit an original and a duplicate for fee processing)
2. ☒ Applicant claims small entity status.  
See 37 CFR 1.27.
3. ☒ Specification [Total Pages 39]  
(preferred arrangement set forth below)
  - Descriptive title of the invention
  - Cross Reference to Related Applications
  - Statement Regarding Fed sponsored R & D
  - Reference to sequence listing, a table, or a computer program listing appendix
  - Background of the invention
  - Brief Summary of the invention
  - Brief Description of the Drawings (if filed)
  - Detailed Description
  - Claim(s)
  - Abstract of the Disclosure
4. ☒ Drawing(s) (35 U.S.C. 113) [Total Sheets 5]
5. Oath or Declaration [Total Pages 1]
  - a. ☐ Newly executed (original or copy)
  - b. ☒ Copy from a prior application (37 CFR 1.63 (d))  
(for a continuation/divisional with Box 18 completed)
    - i. ☐ **DELETION OF INVENTOR(S)**  
Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).
6. ☐ Application Data Sheet. See 37 CFR 1.76

7. ☐ CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)
8. Nucleotide and/or Amino Acid Sequence Submission (if applicable, all necessary)
  - a. ☐ Computer Readable Form (CRF)
  - b. Specification Sequence Listing on:
    - i. ☐ CD-ROM or CD-R (2 copies); or
    - ii. ☐ paper
  - c. ☐ Statements verifying identity of above copies

## ACCOMPANYING APPLICATIONS PARTS

9. ☐ Assignment Papers (cover sheet & document(s))
10. ☐ 37 C.F.R. §3.73(b) Statement ☐ Power of Attorney  
(when there is an assignee)
11. ☐ English Translation Document (if applicable)
12. ☐ Information Disclosure Statement (IDS)/PTO-1449 ☐ Copies of IDS Citations
13. ☒ Preliminary Amendment
14. ☒ Return Receipt Postcard (MPEP 503)  
(Should be specifically itemized)
15. ☐ Certified Copy of Priority Document(s)  
(if foreign priority is claimed)
16. ☐ Nonpublication Request under 35 U.S.C. 122 (b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent.
17. ☐ Other:

18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:

☒ Continuation ☐ Divisional ☐ Continuation-in-part (CIP)

of prior application No: 09 / 545,139

Prior application information: Examiner Goldberg, J.

Group / Art Unit: 1614

Recite complete dependency back to first parent application: See Addendum 1

For CONTINUATION or DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

## 17. CORRESPONDENCE ADDRESS

☒ Customer Number or Bar Code Label



23370

PATENT TRADEMARK OFFICE

Name (Print/Type)

Jeffery B. Arnold, Esq.

Registration No. (Attorney/Agent)

39,540

Signature

Date

December 19, 2001

ATLLIB02# 65343.1

**ADDENDUM 1**

This application is a continuation of U.S. Serial No. 09/545,139, filed on April 7, 2000, which is a divisional application of U.S. Serial No. 08/950,673, filed October 16, 1997, now U.S. Patent No. 6,071,948, which is a continuation application of U.S. Serial No. 08/468,792, filed June 6, 1995, now U.S. Patent No. 5,712,291, which is a continuation application of U.S. Serial No. 08/168,817, filed December 15, 1993, now U.S. Patent No. 5,629,327, which is a continuation-in-part of U.S. Serial No. 08/025,046, filed on March 1, 1993, now abandoned.

100503-12101  
"PATENT"

**FEE TRANSMITTAL**

Attorney Docket No.

**13-0652 (43170-266942)**

This sheet accompanies a patent application transmittal for the following application:

Inventor(s): **Robert J. D'Amato**Filing Date: **Concurrently herewith**Title: **AMINO DERIVATIVES OF EM-138 AND METHODS OF TREATING  
ANGIOGENESIS WITH SAME**

The filing fee is calculated as shown below:

**1. FILING FEE:**

		SMALL ENTITY		LARGE ENTITY	
FOR:		FEE	FEE PAID	FEE	FEE PAID
<input checked="" type="checkbox"/> UTILITY FILING FEE		\$370	370.00	\$740	
<input type="checkbox"/> DESIGN FILING FEE		\$165		\$330	
<input type="checkbox"/> PLANT FILING FEE		\$255		\$510	
<input type="checkbox"/> REISSUE FILING FEE		\$370		\$740	
<input type="checkbox"/> PROVISIONAL FILING FEE		\$80		\$160	
SUBTOTAL (1)			\$370.00		\$

**2. CLAIMS:**

				SMALL ENTITY		LARGE ENTITY	
FOR:	NO. FILED	NO. EXTRA	RATE	FEE		RATE	FEE
TOTAL CLAIMS	46 - 20 =	26	x 9 =	234.00		x 18 =	
INDEP. CLAIMS	2 - 3 =	0	x 42 =	0		x 84 =	
<input type="checkbox"/> MULTIPLE DEPENDENT CLAIM PRESENTED			+140 =			+280 =	
SUBTOTAL (2)				\$234.00			\$

**3. ADDITIONAL FEES:**

		SMALL ENTITY		LARGE ENTITY	
FOR:		FEE	FEE PAID	FEE	FEE PAID
<input type="checkbox"/> LATE FILING, FEE OR OATH		\$65		\$130	
<input type="checkbox"/> NON-ENGLISH SPECIFICATION		\$130		\$130	
<input type="checkbox"/> OTHER					
SUBTOTAL (3)			\$0		\$

**TOTAL FILING FEE: \$604.00**A check is enclosed for the total amount: **\$604.00**☒ Charge any additional fees required under 37 C.F.R. 1.16 or 1.17 to Deposit Account 11-0855.

KILPATRICK STOCKTON LLP

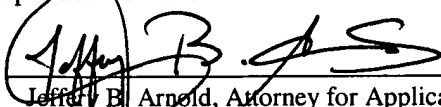
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By:

  
Jeffrey B. Arnold, Attorney for Applicant  
Reg. No. 139,540Date: December 19, 2001